

MISSOURI HITS OIL COMPANIES

Three of Them Ousted From
the State and Fined
\$50,000.

THE WATERS-PIERCE ORDERED DISSOLVED

Decision Is So Sweeping That At-
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End of Illegal Com-
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in Missouri.

JEFFERSON CITY, MO., December 23.—The Supreme Court of Missouri delivered a decision today ousting the Standard Oil Company, of Indiana, and the Republic Oil Company, of the State, from the oil business again to do business in Missouri, and dissolving the Waters-Pierce Oil Company, of St. Louis. In addition each of the companies is fined \$50,000.

The court declared that the three oil companies had conspired and combined to monopolize the oil business in Missouri. The decree against the Waters-Pierce Company is temporary, providing that it may continue in business until January 1, 1939, if it can show to the court that it has taken steps to operate as an independent concern and can satisfy the judgment against it. Other companies are given until March, 1939, to wind up their business in this State.

Sweeping Decision.
The decision is so sweeping that Attorney-General Hadley and Governor Folk hail it as the end of illegal commercial combinations in Missouri.

Attorney-General Hadley, who has prosecuted the Missouri case since its inception in March, 1935, will become Governor in less than a month, and then will be charged with the enforcement of the decree issued today.

The Attorney-General in a statement asserted that attempts had been made to compromise the suit, but he said he refused the offers of the attorneys for the oil companies.

In its decision the court says:

"If such abuses as those complained of are permitted to continue untrammelled, it would only be a question of time until they would sap the strength and patriotism from the foundations of our government, overturn the republic, destroy our free institutions and substitute in their place some other form of government."

The Indictments.
The principal indictments against the company are:

That they have created and become members of a pool, trust, agreement, combination, conspiracy, and understanding among themselves for the following purposes:

"1. To regulate, fix and control the prices to be paid by retail dealers and others in the State of Missouri for the refined products of petroleum sold and offered for sale in this State;

"2. To control and limit the trade in refined products of petroleum in this State;

"3. To control, limit, and prevent competition in the business of buying and selling refined products of petroleum in this State between themselves and others engaged in like business; and,

"4. To mislead the public into the belief that they were separate, and distinct corporations, and pursuing an independent business as legitimate competitors in the purchase and sale of the products of petroleum."

The State's Other Suit.
The State's other suit against the Standard Oil Company, the Republic and the Waters-Pierce Companies, was instituted almost four years ago. The evidence was taken in St. Louis and in New York.

The ouster proceedings were begun in the Supreme Court in the nature of a quo warranto, charging that the three companies had entered into a combination in violation of the laws of the State. After attempted returns had been filed by the companies the taking of testimony began June 29, 1935, before Robert A. Anthony, special commissioner in St. Louis.

The refusal of the companies to produce certain books and documents as to business connections with persons at 28 Broadway, New York, which refusal was made in Kansas City, whence the hearing was adjourned, led to a New York hearing which was begun on January 6, 1936. Meantime additional hearings were held in Joplin, Mo., and in St. Louis.

At the New York hearing H. H. Rogers was one of the witnesses summoned, and his refusal to answer certain questions sent the case before Judge Gildersleeve, of the New York Supreme Court. The entire proceedings were completed and reports of the commissioners were finally made to the Supreme Court of Missouri late in 1937, since which time that tribunal has had the case under advisement.

HARBOR DEEP ENOUGH

North Carolina Can Get Over Charlestown Bay With Mr. Taft.

WASHINGTON, D. C., December 23.—The armored cruiser North Carolina, with President-Elect Taft aboard, and her sister ship, the Montana, accompanied by the battleship North Carolina, left the entrance to Charleston harbor with perfect safety at 8 o'clock on the morning of January 25th, according to a guarantee to this effect given by the Pilots' Association of Charleston, S. C., through Commander Dyer, of the Charleston Navy Yard, to the Navy Department today.

At this hour there is high tide, the water at the bar then being twenty-nine feet deep, while the North Carolina draws twenty-seven feet nine inches. The only provision made by the Pilots' Association is that the weather be clear enough for the marks to be seen and the tide not exceptionally low. Mr. Taft, therefore, without doubt will start from Charleston on his Panama trip.

Asks for Charter.
VALDOSTA, GA., December 23.—Application was made for a charter for the Valdosta and Moultrie Railroad from the Georgia Railroad Commission to build a road from Valdosta to Moultrie, Ga., a distance of forty miles. Proposed road will traverse a very rich section of wire grass Georgia.

MESSAGE TO BOYS

President Roosevelt Gives Advice to the 1,500 Y. M. C. A. Runners.

WASHINGTON, D. C., December 23.—President Roosevelt's message to the boys of America, in response to the request of 1,500 Y. M. C. A. boys, who made the run from New York to Washington, begun November 21st and ended yesterday at the White House today. It is addressed to Gordon Leach, of this city, the last runner, who placed the tube containing the letter in the President's hands, and who received from the Chief Executive a photograph of himself suitably inscribed. The photograph and the letter have been gotten out in attractive form by John B. Slemmon, Jr., chairman of the boys' work committee of the Y. M. C. A., and have been mailed to all the local boys who participated in the run. Later the folder will be mailed to the remainder of the 1,500 runners. The President's message follows:

"At the moment when the last of your runners handed me your message, the French ambassador was with me and spoke to me of a medal struck in Paris almost two centuries ago, when that city was visited by Peter the Great, the first Russian sovereign to try to bring his country into touch with the civilized world."

The ambassador suggested its application to the boys who bore your message.

"Vires acquiritur eundo (by going they gain strength)."

"I think it applies equally to boys in their after life. They have gained strength as they ran. In like manner during their life they will gain strength as they work."

A thorough believer in athletics, as long as we remember that athletic exercises are a means to an end, and that damage comes if we mistake the means for the end. We cannot afford to do without hardy and vigorous bodies, but when we come to the serious work of the world we must make these hardy bodies our servants and not our masters. The body grows sturdy by exercise. Just so, boys, in your after life, you will grow constantly fitter to do your work by the very fact of doing it. You will gain strength by going. The more you train yourselves by work the better able you will be to do that work."

GIVES UP BUSINESS

Thomas Fortune, Ryan Resigns Directorship, Owing to Health Condition.

NEW YORK, December 23.—Thomas F. Ryan, admittedly one of the greatest powers in the financial world, announced today that, yielding to the advice of his physicians, he had resigned from the directorates of thirty-four corporations.

The only enterprises in which Ryan retains a hand, are the Morton Trust Company, the National Bank of Commerce and the American Tobacco Company.

Mr. Ryan's action was taken in pursuance of a policy of retirement first adopted two years ago, when he told by his physicians that his multiplicity of cares involving upon him as the chief steersman of so many financial organizations were more than sufficient in themselves to tax the endurance of any individual, and was rapidly undermining his health.

A Busy Career.

After a busy career of forty years, most of which had been spent in mapping out and carrying to successful issue consolidations of street railway and lighting interests of gigantic magnitude, Mr. Ryan felt compelled to relinquish himself from his many business responsibilities and devote the remaining years of life to comparative leisure.

Mr. Ryan today said:

"This step has been taken after long and mature deliberation. There is no significance to it other than that it means to me a new chapter in my life. I have decided to devote my remaining years to the discharge of my responsibilities to two years ago, and since then I have gradually withdrawn from the directorates of thirty-four corporations. My recent resignations, however, have been more complete. I have adopted two years ago of unloading business responsibilities as rapidly as I can in justice to the interests involved."

Among the corporations from the directorate of which Mr. Ryan has resigned are: The Continental Trust Company, of Philadelphia; the Continental Rubber Company of America, the Mercantile Trust Company, of New York, and the Seaboard Air Line Railway.

BARGE ADRIFT

Considerable Anxiety Is Felt for the Lives of Four Men.

NEW YORK, December 23.—Anxiety is felt tonight for the safety of four men, the captain and crew of the barge Solitaire, which early today broke loose from her tow and is now believed to be adrift at the mercy of wind and waves between Fire Island and Montauk Point.

The Solitaire left Providence, R. I., yesterday for Norfolk in tow of the tug Walter A. Luckenbach.

Luckenbach, which put in here today, reported that she had notified the revenue cutter Mohawk of her loss, and that vessel is believed to have gone out to search for the missing barge.

Schooner In Ashore.

BAITIMORE, December 23.—The two-masted schooner Quick Time, from Baltimore for Elizabeth City, N. C., with a cargo of coal and lime, went ashore in a heavy snowstorm yesterday near Cove Point, Chesapeake Bay, and will become a total wreck. All hands were saved.

A NEW CABINET

Senior Beliao Forms One for Portugal and Then Resigns Himself.

LISBON, December 23.—A new Cabinet was formed today by Senior Beliao, former minister of Marine, after the resignation of foreign affairs, but after the ministers had been named, owing to unforeseen difficulties, Senior Beliao relinquished his office as president and minister of foreign affairs. The King then summoned Senior Antonio Azevedo, the former minister of marine, under whom it is expected the other ministers will retain their portfolios. The composition of the new Cabinet is as follows: President and Minister of Foreign Affairs, Antonio Azevedo; Minister of the Interior, Senhor Cabral; Minister of Justice, Senhor Antonio; Minister of Finance, Senhor Garcia; Minister of War, General Nunes; Minister of Marine, Admiral Curto; Minister of Public Works, Senhor Faria.

The previous Cabinet resigned last week because of the declaration of the senatorial party that it would no longer support the government.

TWO COOPERS ASK TO FURNISH BOND

Father and Son, With Former
Sheriff Sharp, Are
in Court.

WITNESSES TELL OF KILLING OF CARMACK

Son Tried to Prevent Trouble
and Enlisted the Services of His
Sister for This Purpose.

Friends Also Inter-
vened, but to No
Avail.

NASHVILLE, TENN., December 23.—Unabated interest was manifested today in the hearing of the application of the two Coopers and John D. Sharp, held on the charge of murdering former Senator Carmack, for bail before Judge Hart in the Criminal Court.

Henry Bell, a negro, was the first witness called today. He knew nothing of the case.

Patrolman Vaughan then took the stand. He was sworn in immediately after the killing and told of Mr. Carmack's pistol, a 32-caliber hammerless, being handed to him by Lieutenant Winston Pitcher. The weapon contained two empty shells, which had been recently fired, and three loaded cartridges.

Cross-examined by General McCann, the witness said he did not search Col. Cooper and that Col. Cooper said nothing or did nothing about surrendering his own pistol.

Six witnesses in all were examined today in the hearing before Judge Hart in the Criminal Court. The defense assured the court that every effort would be made to complete the hearing to-morrow. If this is found impossible, a recess will be taken until Monday.

Today's testimony added little to what is already known of the killing of Senator Carmack. Mrs. Lucius E. Burch, daughter of Colonel Cooper, said that her brother, Robin, telephoned her that "his father was in trouble."

She said that he feared that his father was much incensed over some editorial in the Tennesseean. Robin wanted her to see her father and prevent trouble. Soon afterward her father came in. He seemed incensed. He sat down at her desk in the library and wrote a letter, in substance like this:

"I am an old man, sixty-five years old. I am not an office-holder or an office-seeker. I am a private citizen. You have no more right to say these things about me in the paper than you have to say them to my face."

Former State Treasurer E. Craig testified as to a conversation he had with Colonel Cooper previous to the tragedy. He said Colonel Cooper brought up the subject of his name appearing in the Tennesseean. Colonel Cooper objected very seriously, and seemed to be incensed and threatened to leave the room.

He referred to Mr. Carmack as a "scoundrel and an ingrate."

"Colonel Cooper made the statement that his name must not appear in the Tennesseean," said Mr. Craig, "and he said that if they did not cease to put his name in the Tennesseean that he or Carmack must die."

Witness said that he told Cooper that he would talk to him privately and what he could do. Craig testified that he told Carmack that Cooper was much agitated, and that he thought Cooper "meant business."

Carmack replied that this was "the second threat" that he had not reflected on Cooper's honor or integrity; that he was part and parcel of an administration not to the interests of the State or of the Democratic party, and that he would continue to use Cooper's name whenever he saw fit.

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VOTING A PRIVILEGE

Former Governor Montague Defends Southern Laws at St. Louis Dinner.

[Special to The Times-Dispatch.]
ST. LOUIS, MO., December 23.—"Voting is a privilege and not a right," said former Governor Andrew J. Montague, of Richmond, Va., last night at the reunion of the New England Society of St. Louis at the Southern Hotel.

He defended the restrictive legislation of the Southern States on negro suffrage. "We have begun to realize," he continued, "that capacity must precede liberty in our American government. A man's privilege to take part in the government of his country must be based on his ability."

He said that the voting age for young men of culture should be twenty years instead of twenty-one. Surely an American-born young man of twenty years is better fitted intelligently to take part in the government of his country than a foreign immigrant who cannot speak the English language. The day of youth has come, and our Southern youths are ably taking up the responsibilities of government."

COVENANTERS FACE Y. M. C. A.

Local Teams Plan Basketball Battle for Tuesday Night.

Hard practice is the order of the day with the Junior teams of the Covenanters, as they prepare for their coming basketball game, next Tuesday night, when they line up as a certain rival for the big game between the Y. M. C. and Princeton University.

The Juniors are taking a deep interest in this contest, and each is eager to make a good showing as possible in their first appearance together this season, before the public. Excellent records by both five basketball teams in the past season, and local enthusiasm will see some coming material for the larger teams in the ranks of these minor players.

PITTSBURG TAKES THE FIRST PLACE

People of That City Are
Dumbfounded at Tales
of Graft.

COUNCILMANIC PRICE RANGES FROM \$100 TO \$5

Bankers Placed \$17,500 on a Table
in a Room, Two Councilmen
Entered and When They
Left the Money Was
Gone—Bank Named
as Depository.

PITTSBURG, PA., December 23.—With a suddenness that startled Pittsburgh from end to end, this city today moved into first place in the role of corruption and municipal graft.

Late to-night, many hours after thunderbolts in the shape of sensational testimony were exploded, the people of Pittsburgh are dumbfounded. It is stated the shocking developments here to-day are mere preliminaries, and another step against additional Councilmen and business men will not only startle Pittsburgh, but the whole country. It was intimated strongly in the testimony in court to-day that over three score Councilmen are "easy to reach" and the "treachery" necessary to get small sums of money, ranging from \$100 to \$5, in the passage of one ordinance alone. It was testified that sixty Councilmen had divided \$15,000.

Sensations Come Rapidly.
Sensations followed one another in rapid succession during the hearing of the seven Councilmen and two former bank officers, who were arrested on charges of bribery, corrupt solicitation and conspiracy last Monday night.

W. W. Hawley and A. A. Vilsack, former president and cashier of the National National Bank, were first placed on the stand. They testified that they had been approached by Councilman John Klein, one of the accused, who stated the bank would be made a depository for the city's funds in the event "the German National Bank" were to be closed.

After several conferences the bankers placed \$17,500 on a table in a room of the bank. Councilman Klein and a companion entered the room, and a short time later left the bank. The bankers then visited the room and the money was gone.

At the request of the directors of the bank both men resigned last Saturday. They were held for court in the sum of \$15,000 bail each.

The seven Councilmen, President Brand and Members Klein, Sorel, Wasson, Melaney and Ferguson, or Common Council, and Atkins, of Select Council, were then called for trial. The principal witness was Robert Wilson, a private detective, and superintendent of the Municipal League of Scranton, Pa., who is employed by the Voters' League of Pittsburgh, which brings the prosecution against the nine defendants. Wilson's testimony was sensational.

Trapped by Detective.
Aided by an assistant, Wilson engaged a room in a local hotel, and he testified, cut holes in the door and walls to get into the room. A series of meetings were arranged with Councilmen. His assistant, Herbert Jones, posed as a business man desiring certain ordinances passed, and during his conferences with the Councilmen, he was to be in the room making a full record of the transactions. During these conferences Councilman Klein had a great deal to say regarding how completely Councilmen were controlled by the accused men, the detective, and the other Councilmen.

Wilson also testified that Klein and Brand each accepted \$500 from Jones in payment of securing the passage of an ordinance. At a meeting held in another local hotel, Klein, it was testified, laid out a plan to divide money among the Councilmen. Councilman Klein told of how \$45,000 had to be split between sixty Councilmen.

This money was received in connection with the destruction of a fire building at the new filter plant of Pittsburgh.

"Hoodlums" Come Cheap.
Councilman Klein, Mr. Wilson testified, said that the Councilmen had agreed to pay \$100 each to "hoodlums" to keep them out of the streets. Some Councilmen, Klein told him, wanted \$100, some \$75, some \$25 and some \$5. According to Councilman Klein, Wilson related the \$5 men were known as "hoodlums."

It was also possible to secure some councilmanic votes on some measures in return for a suit of clothes or for street car tickets.

With the exception of Klein and Wasson, all of the defendants immediately renewed their bonds for appearance for court trial and were released. In the aggregate the bond amounted to \$118,000.

Klein and Wasson succeeded in securing \$30,000 bond with friends as sureties.

"SANTA CLAUS" ROOSEVELT

Presents Each White House Employee With Fine Virginia Turkey.

WASHINGTON, D. C., December 23.—"Yes, is this the White House?"

"Well, there are about 3,200 pounds of turkey here at the Union Station for you."

"All right, send them right along." About an hour later a big express wagon, cranking and groaning beneath its precious load of Christmas turkeys, drove into the snow-covered White House grounds. They were big fellows, a gift from the President for each of the 100 or more employees about the White House. Raised on a fine poultry farm in Virginia, killed and plucked to-day, the turkeys were in prime condition to serve as a happy Christmas table.

Those employees who were not on hand to-night to receive their gifts from "Santa Claus" Roosevelt, who handed them out through his steward, will receive their turkeys to-morrow.

WEATHER.

Cloudy and Warmer.

HAINS WISHES TO KILL HIM AGAIN

Witness Tells What the De-
fendant Said After the
Shooting.

WAY IS PAVED TO SHOW MRS. HAINS'S ACTION

District Attorney Offers Letter in
Evidence, and Attorney for De-
fense Claims He Is Now
Entitled to Show Rea-
sons for the Es-
trangement.

FLUSHING, L. I., December 23.—Nearing the close of its case against Thornton J. Hains as a principal in the killing of William E. Annis, who was shot down by Captain Peter C. Hains, last summer, the prosecution to-day brought out a letter written by the defendant, which opens the way for Thornton Hains's lawyers to bring out those incidents in Captain Hains's marital career which preceded and brought about the killing of the publisher. The letter was written last June by the defendant to Julian Ripley, president of a publication of which William E. Annis was manager. In it the writer characterized Annis as a "rascal" and "scoundrel," and said that he had him on a criminal charge for betraying his brother's wife.

District Attorney Darrin offered this letter in evidence as preliminary to the testimony of Mr. Ripley concerning a second letter from the defendant, which the witness had destroyed.

Justice Crane would not permit Mr. Ripley to testify concerning his second letter, of the contents of this second letter.

Paves the Way.
"The introduction of the first letter," said Mr. McIntyre to-night, "paves the way for us to show what eventuated in the killing of Annis."

Mrs. Claudia Hains brought about the estrangement with his wife and the shooting of Annis.

District Attorney Darrin told Justice Crane today that he hoped to finish his case either to-morrow or Saturday.

Marked in evidence to-day in the trial of Thornton J. Hains was a large leather revolver holster, which the State's attorney said was an important part in the State's case.

This holster was found strapped under the arm and on the shoulder of Captain Peter C. Hains, Jr., shortly after his arrest for the killing of William E. Annis.

The holster is now, and Policeman Baker, who discovered it, said that it was so slung around the army captain's shoulder that the revolver in its sheath would have pressed against his right breast, enabling the wearer to draw it at a moment's notice.

Shows Premeditation.
Counsel for the prosecution declared that the wearing of such a revolver holster nearly shows that Captain Hains left the army post at Fort Hamilton armed with the intention of killing, and disproves any suggestion that he suddenly became insane on seeing Annis.

Counsel further asserted that Hains left the army post at Fort Hamilton armed with the intention of killing, and disproves any suggestion that he suddenly became insane on seeing Annis.

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RESUME RELATIONS

Venezuela Has Expressed the Wish, and Diplomatic Agent Is on Way.

WASHINGTON, D. C., December 23.—After an interval of eight months, the United States government has resumed friendly relations with Venezuela, and William I. Buchanan has left this country on the cruiser North Carolina in the capacity of a special commissioner to visit that country, to get into the situation and make a report. Much will depend on the nature of the communications which he will make to the State Department, among them the question whether the United States may accord formal recognition to the government as it now exists. A decision dependent upon its ability to maintain a stable institution and to fulfill its treaty obligations. The possibility that disorder may arise in the future in the expression of a desire for an American warship at La Guayra, to which wish this government has promptly responded.

Secretary Root's face wore a pleased expression to-day when he made the announcement that the President had accepted the Venezuelan proposal to resume friendly relations with Venezuela. The general opinion is that the new order of things will open the way for the peaceful settlement of the firm claims issues not alone between this country and Venezuela, but between the latter country also and Holland and France.

Word came to the State Department this afternoon that the Netherlands government has given directions that the military operations which have been conducted against Venezuela since, following the news of the suspension of the decree by Venezuela regarding the transshipment of merchandise from Curacao to Venezuelan ports.

The refusal in March last by the Castro administration to consider separately the questions of controversy between the two countries made it plain that diplomacy could accomplish nothing further toward their settlement. This deadlock was made clear by Congress adjourned without taking any action in the matter. The firm claims which form the basis of the last negotiations were those of A. F. Jauretti, who was expelled from the country; the Orinoco Corporation, the Orinoco Steamship Company, the New York and Bermuda Asphalt Company and the United States and Venezuelan Company, the amounts involved running nominally into millions of dollars. These claims are among those which President Gomez has refused to settle.

Expressed a wish to settle satisfactorily. It was Castro's refusal to arbitrate them that led to the breaking off of the diplomatic relations with Venezuela. By what means they are to be settled is a question for the future.

KILLED BY GAS

Former Life Insurance President Accidentally Asphyxiated at Home.

NEW YORK, December 23.—Frederick A. Burnham, former president of the Mutual Reserve Life Company, who was indicted following the insurance investigation in connection with his conduct while at the head of that company, was found dead in his bed at his home here to-day from inhaling illuminating gas. The Burnham family physician said the case undoubtedly was one of accident. The gas had escaped from a small stove which was used to heat Mr. Burnham's bath.

The physician said Mr. Burnham apparently had turned off the gas and then accidentally turned it on again after the flame had been extinguished. Mrs. Burnham, who occupied an adjoining room, was awakened by the odor of gas, and opening the door of her husband's room, found the apartment flooded with the deadly vapor. She made desperate but vain efforts to revive Mr. Burnham. When a physician reached the house, he said Mr. Burnham's weak heart had made him an easy victim to the fumes, and that he had been dead for some time.

The Mutual Reserve Life Insurance Company went into the hands of receivers in February last. President Burnham, his brother, George Burnham, Jr., the treasurer of the company, and George D. Eldredge, the attorney, were indicted on charges of larceny and forgery, which grew out of an alleged payment of the funds of the company in satisfaction of personal claims against some of its officers.

George Burnham, Jr., was tried on the charge of larceny, and was sentenced to serve two years in prison, but the appellate division of the Supreme Court set aside this verdict, and Burnham was released. The case against Frederick A. Burnham was understood that it would not be prosecuted unless that against his brother, George, was eventually won by the prosecution.